



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
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Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743985	KALIAGUINE	S 6670/1E517-U
DUE: April 19, 2001		
DARBY & DARBY 805 THIRD AVENUE NEW YORK, NY 10022		
Electronically filed on 3/26 by DP for		
Docketed without file		
Attorney		
INTERNATIONAL APPLICATION NO.		
PCT/CA99/00638		
I.A. FILING DATE		
15 JUL 99		
PRIORITY DATE		
DATE MAILED: 19 MAR 2001		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED  
STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) 9-19-01

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.  
☐ Translation of the international application into English.  
☒ Oath or Declaration of inventor(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendment(s) filed 16 JAN. 2001 and  
☒ Information Disclosure Statement(s) filed 16 JAN. 2001 and  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed  
☐ Verified Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☒ and copies of the references cited therein.  
☒ Other: IB 331

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.  
☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Christine S. Washington

Telephone: 703-305-3752

6670/1E517-US1

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

JC13 Rec'd PCT/PTO 0 9 APR 2001

INTERNATIONAL APPLICATION NO.  
PCT/CA99/00638INTERNATIONAL FILING DATE  
15 JULY 1999PRIORITY DATE CLAIMED  
16 JULY 1998

## TITLE OF INVENTION

PROCESS FOR SYNTHESIZING METAL OXIDES AND METAL OXIDES HAVING A PEROVSKITE OR  
PEROVSKITE-LIKE CRYSTAL STRUCTURE

APPLICANT(S) FOR DO/EO/US

Serge KALIAGUINE and André VAN NESTE

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S. C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S. C. 371 (c) (2) )
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S. C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).(signed)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (with 12 references).
12. ☒ An assignment document for recording. A **separate** cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☒ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney an/or address letter.

16. ☒ Other items or information:

04/13/2001 UEDUVIJE 00000087 09743985

01 FC:254

65.00 DP

Copy of Notification of Defective Order or Declaration, mailed March 19, 2001

Copy of Notification of Missing Requirements and 37 USC §371 in the United States Designated, Elected Office (DO/EO/US),  
mailed March 19, 2001

Claim of Small Entity Status

Request for Refund - Small Entity

Associate Power of Attorney

## EXPRESS MAIL CERTIFICATE

Date 4/9/01 Serial No. 62853598123US

I hereby certify that, on the date indicated above, this paper or  
fee was deposited with the U.S. Postal Service & that it was  
addressed for delivery to the Assistant Commissioner for  
Patents, Washington, DC 20231 by "Express Mail Post Office  
to Addressee" service.

Name (Print)

Signature

U.S. APPLICATION NO. (if known sec 37 C.F.R. 1.50)		INTERNATIONAL APPLICATION NO.: PCT/CA99/00638		Attorney's Docket Number <b>6670/1E517-US1</b>	
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17. <input type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492 (a)(1)-(5)):</b> Search Report has been prepared by the EPO <input type="checkbox"/> or JPO <input type="checkbox"/> \$  International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ ..... \$  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445 (a) (2))... \$  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$				CALCULATIONS  PTO USE ONLY	
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Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$65.00	
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Claims	Number Filed	Number Extra	Rate		
Total Claims	22-20	2	2 X \$18.00	\$	
Independent Claims	8-3	5	5 X \$80.00	\$	
Multiple dependent claims(s) (if applicable) + 270				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
Reduction by 1/2 for filing by small entity, if applicable.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 39 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$105.00	
				Amount to be refunded	\$
				charged:	\$105.00

a. ☒ A check in the amount of \$170.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.

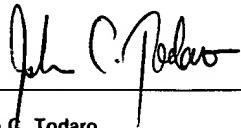
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
**John C. Todaro**  
 Darby & Darby P.C.  
 805 Third Avenue  
 New York, New York 10022-7513

SIGNATURE   
 NAME John C. Todaro  
 REGISTRATION NO. 36,036

10 Rec'd STATE 09 APR 2001

#6

EXPRESS MAIL CERTIFICATE

Date 4/9/01 Label No. 64853598123 <sup>us</sup>

I hereby certify that, on the date indicated above I deposited this paper or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEE(S) DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Date 4/9/01 Name L. Beck

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 6670/1E517US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Serge KALIAGUINE et al.

Serial No.: 09/743,985 (U.S. National Phase of International Application No. PCT/CA99/00638, filed July 15, 1999)

Filed: January 16, 2001

For: PROCESS FOR SYNTHESIZING METAL OXIDES AND METAL OXIDES HAVING A PEROVSKITE OR PEROVSKITE-LIKE CRYSTAL STRUCTURE

REQUEST FOR REFUND - SMALL ENTITY (37 CFR 1.28(a))

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Attn: Refund Section/Accounting Division  
Office of Finance

Sir:

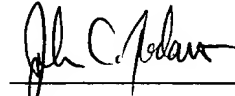
The applicant in the above-identified patent application hereby requests a partial refund of fees paid with respect to this application.

The filing fee in this application was paid on January 16, 2001, as a large entity. A statement claiming small entity status is being filed herewith. In view of the statement, the applicant is entitled to a refund of part of the filing fee, because the filing fee was paid less than three months ago. See 37 C.F.R. §1.28(a).

Please credit the refund to Deposit Account No. 04-0100 in the name of DARBY & DARBY P.C.

Respectfully submitted,

Dated: April 9, 2001

  
\_\_\_\_\_  
John C. Todaro  
Reg. No. 36,036  
Attorney for Applicant(s)

DARBY & DARBY P.C.  
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